

## UNITED STATES DISTRICT COURT

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for the

FEB 15 2024

Raymond Joseph Traylor, Sr.

CLERK, U.S. DISTRICT COURT  
MINNEAPOLIS, MINNESOTA

Petitioner, pro se.,

v.

Case No. 24-cv-470 (ECT/DTS)Lisa Stenseth, Warden MCF-RUSHCITY  
Minnesota.

Respondent

## PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

## Personal Information

1. (a) your full name: Raymond Joseph Traylor, Sr.  
(b) N/A
2. Place of confinement:
  - (a) Name of institution: MCF-RUSHCITY
  - (b) Address: 7600 525<sup>th</sup> St.  
Ruschcity, MN. 55069
  - (c) Your identification number: 158500
3. Are you currently being held on orders by: State authority
4. Are you currently: Serving a sentence (incarcerated) after having been convicted of a fraudulent crime.

If you are currently serving a sentence, provide:

- (a) Name and location of court that sentenced you: Ramsey County District Court  
15. West Kellogg blvd. St. Paul, Mn. 55102
- (b) Case Number: 62-CR-14-3082
- (c) Date of sentencing: November 7, 2014.

Being held on other (explain): Actual innocence.

That is shown in a supplemental incident police report dated July 10, 2014. Received March 31, 2023. Redacted. Sent by an anonymous member of the public.

5. What are you challenging in this Petition: This conviction and sentence. Actual innocence. That my U.S. Constitutional fourth amendment rights were violated which is protected by the fourteenth

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amendment right of equal protection, that I was kidnapped by the Ramsey county Judge Patrick C. Diamond who staged this entire case against I, so to plant Victim/actors DMW, SKB and DNA evidence so to convict by a staged jury and sentence to more than 30 years in prison. This is shown by his disclosure letter dated July 3, 2014 that he is disqualified under the Minn. Code of judicial conduct R. 2.11(a)(5)(b) concerning I petitioner and DNA evidence. That this fact shows there was no probable cause for an arrest that if there was a warrant for my arrest in this case it would be by fraudulent application. Which I was not arrested by warrant.

6. Provide more information about the decision or action you are challenging:

(a) Name and location of agency or court: Postconviction Court

(b) Case Number: 62-CR-14-3082

(c) Decision or action you are challenging: That this Supplemental incident police report dated July 10, 2014 shows that the Ramsey County government victimized I and forced I into a fabricated staged case and trial. That the postconviction court is disqualified to preside over this case since pretrial on June 30, 2014. That there is no probable cause because this case is planted, fabricated, and perjured and that the court could not participate to hear the challenge of the finding of probable cause. His letter dated July 3, 2014 of disclosure made the time to hear the challenge of the partial finding of probable cause timed out. The full litigation of probable cause was then barred by lack of probable cause.

(d) Date of decision: November 29, 2023.

Your earlier challenge of the Decision

7. First Appeal? Yes

(a) if yes provide:

(1) Name of the Court: Minn. Court of appeals.

(2) Date of filing: January 10, 2024.

(3) Case Number A24-0053

(4) Result pending

(5) Date of result: Pending

(6) Issues raised: That I am a victim victimized by the postconviction Court that I am not a lawyer that can raise appropriate issues in this matter.

8. Second appeal. N/A

9. Third appeal N/A.

10. MOTION UNDER 28 § U.S.C. 2255 N/A.

11. N/A

12. Other appeals. N/A.

13. Grounds for Your Challenge in this Petition

State every ground (reason) that support your claim that you are being held in violation of the Constitution, laws, or treaties of the United States.

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**GROUND ONE:** I claim actual innocence that the Ramsey County government violated my state and federal civil rights under title 18 § U.S.C. 241 Conspiracy against rights and 242 deprivation of rights under color of law.

(a) Supporting facts (Be brief. Do not cite cases or laws.):

On March 31, 2023. A redacted Supplemental incident police report dated July 10, 2014 was sent to I, by an anonymous member of the public. Which shows the Ramsey County Government and the St. Paul police department Conspiring with the two women as a recounting of their original statements on April 30, 2014 to now claim my made-up medical impossibility defense. This is Perjury and since it is withheld from the appellate public defender office where the document is not fully filed this is a Brady/Agurs violation. Violating my right to due process. I claim actual innocence Under Title 28 § 2241(c)(1) Petitioner is in custody under color of the authority of the United States Criminal Code title 18 § 241 Conspiring against my rights discriminating against my race African American man violating my fundamental rights to parent and title 18 §242 color of law.

at. 144-145 statement on direct by DMW.

Q. Did you notice anything different about his penis?

A. His was soft we laughed and joked about it

If your going to rape someone at least be hard.

At. 225-226 statement on direct by SKB.

Q. Did you notice anything different about his penis?

A. his was soft.

This Is supposed to be an incident of two counts of first degree criminal sexual conduct performed on both women at the same time. Only no one knew that this medical impossibility defense was made-up at until I testified.

(b) Did you present Ground one in all appeals that were available to you? Yes. Pending.

GROUND TWO: Newly discovered evidence. Even though the state filed a description of the Supplemental incident police report dated July 10, 2014 It is not fully filed as a readable document for review by the appellate public defender who is a different defense counsel than that at pretrial and trial counsel. It then is withheld exculpatory newly discovered evidence of actual innocence and ineffective assistance of appointed defense counsel.

(a) Supporting facts (Be brief. Do not cite cases or laws.):

No one not the appellate public defender Bridget k. Sabo or the Minn. Court of appeals knew of this document and for that reason when I claimed on direct appeal that this case was a fraud without having this document the opinion writer stated that these were not actors.

(b) Did you present Grounds two in all appeals that were available to you? Yes. Pending.

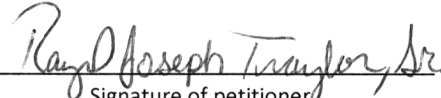
14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not: N/A.

**Request for relief**

15. State exactly what you want the court to do: I seek immediate release from this conviction and sentence., if possible I seek immediate release with a non-monetary bail during and throughout this Habeas Corpus proceeding, to vacate this conviction and sentence and fully exonerate I, that the state court process procedure be stayed under title 28 U.S.C. § 2251., That defense counsel be appointed Under title 3006A. That any Criminal case attached to it not having its own arrest be no hamper for my immediate release. That it to be vacated. Along with any civil matter be it reversed.

**Declaration Under Penalty Of Perjury**

Date: January 29, 2024

  
Signature of petitioner

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## UNITED STATES DISTRICT COURT

Raymond Joseph Traylor, Sr  
Pro Se Petitioner,

V.

Lisa Stenseth, Warden  
RushCity correctional facility, Minnesota  
Respondent.

MEMORANDUM OF LAW IN SUPPORT  
OF PETITION FOR WRIT OF HABEAS CORPUS  
BY A PERSON IN STATE CUSTODY PURSUANT  
TO TITLE 28 U.S.C. § 2241. (a)(c)(1)(3).

Case No. \_\_\_\_\_

INTRODUCTION

Petitioner Raymond Joseph Traylor, Sr. Seeks federal habeas corpus review. That on May 5, 2014 I was charged by complaint of two counts of first degree criminal sexual conduct acts performed at the same time on DMW and SKB on April 30, 2014. This was false from the start. It was I who was assaulted by DMW on April 30, 2014 for rejecting her advances to take her out to a dinner and movie the up-coming Friday night. These two women made-up this rape case lie and the government knew it. On March 31, 2023 I received a supplemental incident police report dated July 10, 2014 by an anonymous member of the public. Which was hidden from the record on appeal in its full document reading. This document shows that the government used these two women to fabricate this double first degree criminal sexual conduct charge. That once it was learned that I had a medical impossibility defense claim from the finding of probable cause on June 2, 2014 Judge Jennifer L. Frisch Presided to the challenge on June 30, 2014. When Judge Patrick C. Diamond presided, that once the court disclosed his disqual. status in a letter dated July 3, 2014 and after the state waives disqual. on July 7, 2014., the Ramsey County attorney office rounds-up the two women to get them to now say that they witnessed my medical impossibility defense that I **made-up** when they were being sexually assaulted by I on April 30, 2014.

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This is a pretrial matter that shows the government staging a double first-degree rape case against I, in violation of my civil rights under the color of law under the U.S. CRIM. Code title 18 U.S.C. § 242 Deprivation of rights under color of law. This is kidnapping; false imprisonment, perjury, see Brady/agurs violation, ineffective assistance of appointed counsel by design of an ex-prosecutor acting as a public defender. Appointed by the state also to deprive I of my rights and liberty. Jury tampering, and Double jeopardy. Although this was a challenge to the finding of probable cause from June 2, to the 30, of 2014 the court also is not qualified to hear the challenge on June 30, 2014. At that time the time for the challenge to be heard by a competent tribunal had passed within 28 days by July 3, 2014 the whole case then is illegal, therefore there is no probable cause, and there definitely is none when the government is using these two women as informants to harass I and deprive I of my rights and liberty. There was no crime committed by I on April 30, 2014, according to this supplemental incident police report dated July 10, 2014. Because my constitutional rights of the U.S. Constitution fourth amendment rights were violated which are protected by the U.S. Constitutional fourteenth amendment rights I, a victim of this government plan; plot, and scheme, Mr. Traylor respectfully request that this Court Order that this fraudulent conviction be vacated and that I be immediately released.

#### ARGUMENT

A federal court may grant habeas corpus relief to a state prisoner on any claim adjudicated on the merit in this matter under this title 28 § 2241 (a)(c)(1)(3) this is a claim of actual innocence under Mcquiggins V. perkins 185 L. Ed. 2d 1019. A gateway which to be heard. This is a different type of actual innocence than normal affidavits but this is actual innocence none the less. I am not an attorney and no appellant public defender or the Minn. Court of appeals has heard this supplemental incident police report dated July 10, 2014 in it complete record filing, is a pretrial issue that had no authority to have gone this far. Any and all issues raised in this case in the past is open to be challenged as in actual innocence that, the Traylor 158500

governments involvement in this case to the point of planting a jury Mr. Voyer, makes the verdict unreliable. That this corruption bleeds into Hennepin county where they have used this case to pursue termination of my parental rights. Violating my fundamental right to parent. This is a due process violation under Brady v. Maryland, 373 U.S. 83, 87 (1963). The prosecutor here knew of the favorable evidence and hid it in a one line description filing of the supplemental incident police report dated July 10, 2014. United States V. Agurs, 427 U.S. 97 S. Ct. 2392 49 L. Ed. 2d 342 (1976). See Giglio v. United States, 45 U.S. 150, (1982) even though the government plants the jury I seek immediate release and vacatur of this fraudulent conviction and sentence. I Seek appointed competent counsel Under title 18 § 3006A. (a)(1)(i)(2)(B)(3)(A)(B)(b) I seek professional appointment of counsel. All I know is that I have been victimized twice once being hit by DMW and twice by the government assisting these two women's lie of criminal sexual conduct in the first degree. If these federal caselaws require reversal then these same violating due process claims within this fabrication of this case requires the vacatur of this conviction and sentence.

Title 28 § 2251. **Stay of State Court Proceedings.** (a)(1) Pending matters. Once this case is filed I request the stay of the state court postconviction appeal be stayed. Minn. Ct. of appeals Case Number A24-0053 filed January 10, 2024. Pending.

#### CONCLUSION

Traylor should be entitled to the relief request from immediate release to an appointment of defense counsel. To the Vacatur of this conviction and sentence that is fraudulent.

Dated January 30, 2024.

Respectfully submitted  
*Raymond Joseph Traylor, Sr.*  
Raymond Joseph Traylor  
MCF-RUSHCITY 7600 525<sup>th</sup> St.  
RUSHCITY, MN. 55069

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